

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ITV DIRECT, INC.,)
)
Plaintiff,)
)
v.)
)
HEALTHY SOLUTIONS, L.L.C., et al.,)
)
Defendants.)
CAPPSEALS, INC.,)
)
Plaintiff-in-Intervention,)
)
v.)
)
HEALTHY SOLUTIONS, L.L.C., d/b/a)
DIRECT BUSINESS CONCEPTS; ITV)
DIRECT, INC.; and DIRECT)
FULFILLMENT, LLC,)
)
Intervenor-Defendants.)

Civil Action No. 04-CV-10421-JLT

**CAPPSEALS, INC.'S NOTICE OF ACCEPTANCE OF
HEALTHY SOLUTIONS LLC'S OFFER OF JUDGMENT**

Plaintiff-in-Intervention Cappseals, Inc. (hereinafter "Cappseals") respectfully submits this Notice to the Court that it has accepted the Offer of Judgment served by Healthy Solutions LLC ("Healthy Solutions"). A copy of Healthy Solutions' Offer of Judgment filed and served on March 30, 2005 is attached hereto as **Exhibit A**. A copy of Cappseals' written Acceptance dated March 31, 2005 is attached hereto as **Exhibit B**.

WHEREFORE, pursuant to Fed.R.Civ.P. 68, judgment should be entered by the Clerk in the following manner and in the form attached as **Exhibit C**:

(a) Judgment against Healthy Solutions and in favor of Cappseals for the principal sum of \$890,182.09, together with prejudgment interest accrued through and including April 15, 2005 in the sum of \$123,609.00, for a total of \$1,013,791.09, together with costs and disbursements as

allowed pursuant to Fed.R.Civ.P. 54, together with post judgment after April 15, 2005 at the statutory rate until paid in full; and

(b) The Preliminary injunction entered on April 14, 2004 as to Healthy Solutions is hereby a permanent injunction, whereby Healthy Solutions is enjoined from selling, compromising, transferring, assigning, or otherwise disposing of, alienating, or hypothecating its interest in any and all monies due or to become due to Healthy Solutions from plaintiff ITV Direct, Inc. for the manufacture and shipment of Supreme Greens to ITV Direct, Inc. or its interest in any and all intellectual property related to Supreme Greens.

Respectfully submitted,
CAPPSEALS, INC.
By its attorneys,

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DATED: March 31, 2005

CERTIFICATE OF SERVICE

I hereby certify that true and accurate copies of the foregoing was served on the foregoing attorneys of record pursuant to Fed. R. Civ. P. 5 as follows:

Via electronic notification:

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DATED: March 31, 2005